

**United States District Court**  
**Western District of Texas**  
**El Paso Division**

**FILED**  
**Mar 29 2021**  
Clerk, U.S. District Court  
Western District of Texas

By: CR  
Deputy

USA

vs.

(1) SAUL FAUSTINO-DUARTE

§  
§ CRIMINAL COMPLAINT  
§ CASE NUMBER: **EP:21-M -00759(1)**  
§  
§

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about **March 27, 2021** in **Hudspeth** county, in the **WESTERN DISTRICT OF TEXAS** defendant did, attempt to enter, entered, and or was found in the United States after having been previously arrested and deported, removed, excluded or denied admission from the United States and permission to reapply for admission was not granted by the Secretary of Homeland Security; and the Defendant failed to establish that he was not required to obtain the consent of the Secretary of Homeland Security or the Attorney General prior to entering the United States pursuant to 6 USC 203(3), 202(4) and 557.

in violation of Title 8 United States Code, Section(s) 1326

I further state that I am a(n) **Border Patrol Agent** and that this complaint is based on the following facts: "  
**The DEFENDANT, FAUSTINO-DUARTE, SAUL, an alien to the United States and a citizen of Mexico, was found in the United States on MARCH 27, 2021. The DEFENDANT was found "**  
**Continued on the attached sheet and made a part of hereof.**


Sworn to before me and subscribed in my presence,

/S/ Ovalle Jr., Jesus G.  
Signature of Complainant  
Border Patrol Agent

March 29, 2021  
File Date

at EL PASO, Texas  
City and State

ANNE T. BERTON  
UNITED STATES MAGISTRATE JUDGE

  
Signature of Judicial Officer

**OATH TELEPHONICALLY SWORN**  
**AT 1:26 P.M.**  
**FED.R.CRIM.P. 4.1(b)(2)(A)**

CONTINUATION OF CRIMINAL COMPLAINT - EP:21-M -00759(1)

**WESTERN DISTRICT OF TEXAS**

**(1) SAUL FAUSTINO-DUARTE**

FACTS (CONTINUED)

approximately 43 miles east of the Fort Hancock, Texas Port of Entry, near Sierra Blanca, Texas, in the Western District of Texas. From statements made by the DEFENDANT to the arresting agent, the DEFENDANT was determined to be a native and citizen of Mexico, without immigration documents allowing him to be or remain in the United States legally. The DEFENDANT has been previously removed from the United States to Mexico on February 22, 2019, through Laredo, TX. The DEFENDANT has not received permission from the Attorney General of the United States or the Secretary of Homeland Security to reapply for admission into the United States.

IMMIGRATION HISTORY:

The DEFENDANT has been granted 1 voluntary departure(s), the last on September 25, 2011, through LAREDO, TX

The DEFENDANT has been deported 3 time(s), the last one being to MEXICO on February 22, 2019, through LAREDO, TX

CRIMINAL HISTORY:

10/07/2011, Laredo, TX, 8USC 1325(M), CNV, 10 Days Confinement and a \$10 fine..

10/16/2015, Dallas, TX, Public Intoxication(M), ACC, Refer to arresting agency for dispo.

10/28/2018, Dallas, TX, Driving while Intoxicated(F), CNV, 300 Days Jail/ 1500 Fine/ 309 Court Cost.

02/18/2019, Dallas, TX, Possession(F), CNV, 300 days jail/ Fine 1500/ Court Cost 309.

02/19/2019, Dallas, TX, Driving while Intoxicated(M), CNV, 170 Days jail/ Court Cost 587/ Fine 100.